

REMARKS**(Appln. No. 10/631,118-Amendment C)**

By the foregoing amendment, applicant has amended claims independent claims 91 and 97 to define structure to limit the claims to beverage brewing apparatus and to food processing apparatus, respectively.

Claim 122 has been completed by reinserting the preamble that had been inadvertently omitted during the prior amendment.

The dependency of claims 110 and 116 has been changed from claim 100, previously canceled, to independent claim 101

The dependencies of claims 28, 29 and 37 have been changed from claim 26 to allowed claim 1, and the dependency of claim 33 has been changed from claim 26 to allowed claim 9. Accordingly, claims 28, 29, 37 and 33 should also be allowed. Claims 30 and 31 are dependent on claim 29, and claims 38 and 39 are dependent on claim 37. Accordingly, claims 30, 31, 38 and 39 should also be allowed. The dependency of claims 110 and 116 has been changed from claim 100 to allowed claim 101, and therefore these claims should also be allowed. The dependency of claims 120 and 121 has been changed to claim 33 dependent on allowed claim 9, and claims 120 and 121 should therefore be allowed.

Claims 1-6, 8-25, 101, 104, 106, 111-113, 117-119 and 123 have been allowed.

Claims 27, 32, 33, 34-36, 40-45 and 107 have herewith been canceled and claims 100 and 116 have previously been canceled without prejudice.

Independent claims 91-93, 97-99, 102, 103, 105, 108-110 and 114-116 and 124 remain at issue.

Withdrawal of the objection to claims 110 and 116 is requested in light of the change of their dependency to a pending claim 101.

Withdrawal of the rejection of claims 122 and claims 92 and 93 dependent thereon in light of the amendment to claim 122 reinserting the missing preamble to claim 122.

Reconsideration of the rejection of independent claim 91 and claims 92, 93, 108 114 and 122 dependent thereon under 35 USC 102(e) as being anticipated by Butler et al. is requested in light of the amendment to independent claim 91 in which structure has

been added to limit the claims to a beverage brewer. This structure precludes anticipation by Butler which shows only a control panel for an automobile. There can be no suggestion of the brewer of claim 91 because automobile radio art is not art relevant to beverage brewer controllers. These claims are also allowable for the reasons previously set forth. Withdrawal of this rejection and allowance of all these claims is therefore respectfully requested.

Reconsideration of the rejection of independent claim 97 and claims 109 and 115 dependent thereon under 35 USC 102(c) as being anticipated by Butler et al is requested in light of the amendment to claim 97 in which structure has been added to limit the claims to a food processing apparatus. This structure precludes anticipation by Butler which shows only a control panel for an automobile. There can be no suggestion of the brewer of claim 91 because automobile radio art is not art relevant to beverage brewer controllers. These claims are also allowable for the reasons previously set forth. Withdrawal of this rejection and allowance of all these claims is therefore respectfully requested.

Reconsideration of the rejection of claims 102 and claims 103, 115 and 124 dependent thereon as being anticipated by Warne under 35 USC 102 (b). Claim 102 specifies, inter alia, "a demonstration mode" which is "substantially the same as the normal operations mode except for selected functions". Obviously, Warne does not specify such a demonstration mode as defined. The selection of "different water delivery pulses" is clearly a programming function that is nothing like "normal operations".

It is respectfully submitted that the application has now be place in condition for allowance and passage of the case to issue is therefore respectfully requested.

Reconsideration and allowance of all claims at issue are therefore respectively requested.

Respectfully submitted,

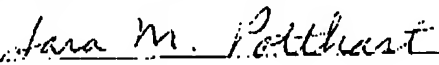

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37CFR1.8)

I hereby certify that this Amendment B(21-pages) and Petition for Extension of Time(1-page) and facsimile transmittal(1-page) are being facsimile transmitted to the United States Patent and Trademark Office fax number 571-273-8300 this 20th day of April, 2005.


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